

**SHEPPARD, MULLIN, RICHTER & HAMPTON LLP**

Rena Andoh (admitted *pro hac vice*)

randoh@sheppardmullin.com

30 Rockefeller Plaza

New York, NY 10112

Telephone: (212) 653-8700

Facsimile: (212) 653-8701

Lai L. Yip (SBN 258029)

lyip@sheppardmullin.com

Four Embarcadero Center, 17th Floor

San Francisco, CA 94111

Telephone: (415) 434-9100

Facsimile: (415) 434-3947

Travis J. Anderson (SBN 265540)

tanderson@sheppardmullin.com

12275 El Camino Real, Suite 100

San Diego, CA 92130

Telephone: (858) 720-8900

Facsimile: (858) 509-3691

Kazim A. Naqvi (SBN 300438)

knaqvi@sheppardmullin.com

1901 Avenue of the Stars, Suite 1600

Los Angeles, CA 90067

Telephone: (310) 228-3700

Facsimile: (310) 228-3701

*Attorney for Plaintiff and Counter-Defendant  
Moog Inc.*

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

MOOG INC.,

Plaintiff,

v.

SKYRYSE, INC. ROBERT ALIN  
PILKINGTON, MISOOK KIM, and  
DOES NOS. 1-50,

Defendants.

Case No. 2:22-cv-09094-GW-MAR

**PLAINTIFF AND COUNTER-  
DEFENDANT MOOG INC.'S  
APPLICATION FOR LEAVE TO  
FILE UNDER SEAL DESIGNATED  
MATERIALS FROM ITS MOTION  
TO ENFORCE COMPLIANCE  
WITH THE MARCH 11, 2022  
STIPULATED TRO (DKT. 25), AND  
FOR MONETARY AND ADVERSE  
INFERENCE SANCTIONS FOR  
CONTEMPT AND SPOILIATION**

SKYRYSE, INC.,  
Counterclaimant,  
vs.  
MOOG INC.,  
Counter-Defendant.

Judge: Hon. George H. Wu

**TO THE ABOVE CAPTIONED COURT, AND TO ALL PARTIES  
AND THEIR ATTORNEYS OF RECORD:**

Pursuant to Local Rule 79-5 *et seq.*, Plaintiff and Counter-Defendant Moog Inc. (“Moog”) hereby submits this application for an order permitting it to file under seal certain excerpts and documents (the “Designated Materials”) from Moog’s Motion to Enforce Compliance with the March 11, 2022 Stipulated TRO (Dkt. 25), and for Monetary and Adverse Inference Sanctions for Contempt and Spoliation (the “Motion”).

Moog submits that compelling reasons exist to permit the Designated Materials to be filed under seal. The Designated Materials include documents that have been identified as Protected Material pursuant to the Protective Order entered in this action on May 6, 2022 (the “Protective Order”) (Dkt. 89) and excerpts from the Motion and concurrently-filed declarations of Kazim Naqvi, Bruce Pixley and Kevin Crozier that reference, describe, or cite to those documents. The material that Moog requests to file under seal is the type of information that Moog does not make public, does not share with competitors, and keeps confidential in its business. If disclosed publicly, it could be used by Moog’s competitors to secure unfair competitive advantage and cause irreparable business harm. Specifically, Moog seeks to file the following Designated Materials under seal: (1) highlighted portions of Moog’s Memorandum of Points and Authorities in Support of its Motion at pages 18:20-21; (2) highlighted portions of the Declaration of Bruce Pixley at pages 9:4-21; 10:5-6, 11-28; 11:1-3, 15-17; 13:22-23; 15:7-8; 16:1-2, 7, and the embedded figure in the unredacted version at page 5; (3) highlighted portions of the Declaration of Kevin Crozier at pages 7:11-13, 19-28; 8:2-17; 9:6, 10-28; 10:1-8, 23-25; 11:3-4; 13:1-2, 27-28; 14:19, 21-22, 24; 16:2; 18:6-27; 19:1, 11-14, 25-28; 20:1-28; 21:1-7; 21:19-21; 51:16-27; 52:1-24; 53:2-24; 54:1-7; 56:26; 57:1, 5, 9, 13, 17, 20; 61:13, and the embedded figures in the unredacted version at pages 15:2-12; 23:3-13; 24:2-13; 25:2-14; 26:2-20; 29:2-17; 31:2-21; 34:2-13; 36:2-20; 39:2-14;

1 40:2-20; 42:2-20; 45:2-12; 46:2-13; 47:2-12; 58:11-16; 59:2-24; (4) Exhibit B to the  
 2 Declaration of Kazim Naqvi; (5) Exhibits A, B, C, D, E, F, G, H, I, J, K, L to the  
 3 Declaration of Bruce Pixley; and (6) Exhibits A-1, A-2, A-3, A-4, A-5, A-6, A-7, A-  
 4 11, A-12, B-1, B-2, B-3, B-5, B-6, B-7, C-1, C-2, C-4, C-5, C-6, E-1, E-2, E-5, F-3,  
 5 F-5, G-1, G-2 to the Declaration of Kevin Crozier.

6 Moog also seeks to provisionally lodge under seal the following Designated  
 7 Materials, which refer to, describe, or quote documents that Skyrise has identified  
 8 as Protected Material under the Protective Order, or which Moog believes that  
 9 Skyrise may consider to be Skyrise's own confidential information: (1) highlighted  
 10 portions of the Declaration of Bruce Pixley at pages 6:15, 24-28; 7:1-8, 14; 16:11-  
 11 12; 17:5-9, 12-15; 18:8-9, 12, 19, 21-27; 19:1, 10-14; (2) highlighted portions of the  
 12 Declaration of Kevin Crozier at pages 12:4-6; 13:8-11; 17:3-7; 22:14-16, 21-22;  
 13 28:11; 30:1; 32:1; 33:8; 35:1; 37:1; 38:11-12, 14-15; 40:1; 43:1; 44:14; 45:14;  
 14 46:15; 48:1; 49:19-22; 50:16-19; 51:9-11, 16-27; 52:1-24; 53:3-27; 54:1-7, 23-28;  
 15 55:1-3, 13-19; 56:2-7; 56:22-28; 57:3-23; 62:27; 63:1-4, 6, 8, 10-11, and the  
 16 embedded figures in the unredacted version at pages 15:16-23; 23:16-26; 24:15-27;  
 17 25:17-27; 27:1-26; 30:1-24; 32:1-22; 35:1-17; 37:1-23; 39:18-25; 41:1-19; 43:2-23;  
 18 45:14-26; 46:16-27; 48:1-17; 58:19-28; 60:2-24; 62:9-14; (4) Exhibits M, N, O, and  
 19 P to the Declaration of Bruce Pixley; and (5) Exhibits A-8, A-9, A-10, B-4, C-3, D-  
 20 1, D-2, D-3, D-4, D-5, D-6, E-3, D-4, F-1, F-2, F-4, G-3, H-1 to the Declaration of  
 21 Kevin Crozier. Accordingly, pursuant to paragraph 12.1 of the Protective Order,  
 22 Moog seeks to provisionally lodge these documents under seal until such time as  
 23 Skyrise withdraws its confidentiality designations or the Court rules on a  
 24 forthcoming application from Skyrise to justify that these documents, or portions of  
 25 thereof, remain under seal.

26 This application is further based upon the accompanying Declaration of  
 27 Kazim Naqvi in Support of this Application; any pleadings, files, and records in this  
 28 action; and any further evidence or argument as this Court may consider.

1 Moog's counsel conferred with Skyryse's counsel via e-mail on March 13,  
2 2023 regarding all of the Skyryse Designated Materials referenced above, and  
3 whether Skyryse contends that the filing of any such materials, or any portions  
4 thereof, should be public. As of 9:00 a.m. on March 16, 2023, Skyryse's counsel had  
5 not provided any response. Accordingly, Moog will conditionally lodge under seal  
6 all Skyryse Designated Materials and any quotes or references thereto.

7  
8 Dated: March 16, 2023

9 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

10  
11 By /s/ Kazim A. Naqvi  
Kazim A. Naqvi

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13 Attorney for Plaintiff and Counter-Defendant  
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